



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Vale District Office  
100 Oregon Street  
Vale, Oregon 97918

IN REPLY REFER TO:

1742 / 4190 (ORV060)

**OCT 18 2011**

## NOTICE OF FIELD MANAGER'S FINAL DECISION

Dear Interested Public:

### BACKGROUND

As an identified (interested public) or (permittee) for actions within the Anderson Allotment (#01401) and Star Valley Allotment (#01402), you are being notified of the decision to implement emergency stabilization actions as a result of the West Little wildfire, a lightning caused fire which occurred on public land approximately 60 miles northeast of McDermitt, Nevada on August 26, 2011. The fire burned within the Spring Pasture of the Anderson Allotment and the North Stoney Corral pasture of the Star Valley Allotment. The fire was contained August 28, 2011 and burned 4,304 acres of public land.

The BLM has completed an Emergency Stabilization and Burned Area Rehabilitation (ES/BAR) Plan and a Determination of NEPA Adequacy (DNA) # DOI-BLM-V060-2011-070 prior to the approval of the plan and the issuance of this decision. These documents can be viewed at: <http://www.blm.gov/or/districts/vale/plans/index.php>. If you wish to receive hard copies of these documents, they are available upon request at the District Office, 541-473-3144.

The BLM has completed an Emergency Stabilization Plan and Determination of Land Use Plan Conformance and NEPA Adequacy. The Vale District Normal Emergency Stabilization and Rehabilitation Plan (NFESRP) Environmental Assessment (EA) # OR-030-05-005 was completed by the Vale District Manager on July 12, 2005.

Planned emergency stabilization actions include; closure of the burned area to livestock grazing, construction of approximately 10 miles of temporary fence, sagebrush seed stalk scatter within burned areas, and control of noxious weeds.

### FINAL DECISION

My decision to implement the actions identified in the West Little Fire Emergency Stabilization and Burned Area Rehabilitation Plan sagebrush seed scatter, weed treatments, and temporary fencing. This decision is effective immediately due to the immediate risk of erosion and damage due to wildfire, issued under 43 Code of Federal Regulations (CFR) § 4190.1(a), which states: Notwithstanding the provisions of 43 CFR 4.21(a)(1), when BLM determines that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels

buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire, BLM may make a rangeland wildfire management decision effective immediately or on a date established in the decision.

### **Treatments**

Noxious weed control includes: surveying to detect the presence of noxious weeds, followed with treatment, then monitoring and re-treatment. The disturbed areas within and areas immediately adjacent to the fire boundary would be surveyed for Oregon Department of Agriculture Class A and T listed weeds and Malheur County Class A listed weeds. Since the area has not had an intensive inventory, there may be weeds of major concern within these areas.

Ten miles of temporary fencing will be constructed to make the portion of the pasture which was not burned available for livestock use through the period of livestock exclusion from the burned area. The temporary fence will consist of two strands of barbed wire with one strand of smooth wire on the bottom. To view a map of the temporary fence placement see (DNA) # DOI-BLM-V060-2011-070 at: <http://www.blm.gov/or/districts/vale/plans/index.php>. Guidelines for temporary fence construction will be in compliance with BLM handbook 8550-1 Interim Management Policy for Lands under Wilderness Review.

Sagebrush will be seeded throughout the burned area utilizing ATVs or UTVs by scattering sagebrush branches that contain seed. Seed will be collected by selectively pruning branches in October and early November before seed is released. The pruning is expected to have little to no effect on the pruned plants. Branches containing seed will be cut and collected from areas adjacent to the burn. Pruned branches will be randomly distributed and left on the ground to provide a microsite to collect moisture and enhance germination. Approximately 10-20 branches will be scattered per acre on approximately 10% of the burned area.

### **RIGHT OF APPEAL**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. Any appeal should state clearly and concisely as to why the final decision is in error. If an appeal is taken, notice of appeal must be filed in the office of the authorized officer at the following address within 30 days from receipt of the decision. All grounds of error not stated shall be considered waived and no such waived ground of error may be presented at the hearing unless ordered or permitted by the administrative law judge. Any appeal should be submitted in writing to:

Field Manager, Jordan Resource Area  
Vale District Bureau of Land Management  
100 Oregon Street  
Vale, Oregon 97918

Filing an appeal does not by itself stay the effectiveness of the final BLM decision. The appeal may be accompanied by a petition for a stay of the decision pending final determination on appeal, in accordance with 43 CFR § 4.471 and 4.479. Any request for a stay of the final decision in accordance with 43 CFR § 4.21 must be filed with the appeal. In accordance with 43 CFR § 4.21 (b)(1), a petition for a stay must show sufficient justification based on the following:

The relative harm to the parties if the stay is granted or denied,  
The likelihood of the appellant's success on the merits,  
The likelihood of immediate and irreparable harm if the stay is not granted, and  
Whether the public interest favors granting the stay.

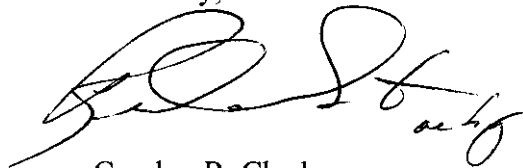
Additionally, in accordance with 43 CFR § 4.471(b), within 15 days after filing an appeal and petition for a stay with the authorized officer, the appellant must serve copies on:

- 1) All other person(s) named in the address heading of this decision; and
- 2) The appropriate office of the Office of the Solicitor as follows, in accordance with 43 CFR § 4.413(a) and (c):

Office of the Solicitor  
US Department of the Interior  
Pacific NW Region  
805 SW Broadway, Suite 600  
Portland, OR 97205

Finally, in accordance with 43 CFR § 4.472(b), any person named in the decision from which an appeal is taken (other than the appellant), who wishes to file a response to the petition for a stay, may file with the Hearings Division a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and respond, the person must serve copies on the appellant, the appropriate office of the Office of the Solicitor in accordance with Sec. 4.413(a) and (c), and any other person named in the decision.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carolyn R. Chad', with a stylized flourish at the end.

Carolyn R. Chad  
Field Manager  
Jordan Field Office